

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Panchayat Raj and Rural Development Department – Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, East Godavari District and now working as I/c Chief Engineer, PR, MGNREGS, Hyderabad - Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1991 on the allegations of irregularities in the execution of the work "Providing road from Boduluru to Nukaletiwada via Checkawada & Potlawada under 12<sup>th</sup> Finance, RIAD" in East Godavari District – Article of charges – Communicated – Orders – Issued.

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**PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.II) DEPARTMENT**

**G.O.Rt.No. 1002**

**DATED:22.06.2013.**

Read the following:

1. From the GA (V&E) Dept., Vigilance Report No.107 (954/V&E/E2/2009-2), dt.17.12.2012
2. From the ENC, PR, Hyd., Lr.No.Vig.II (2)/3159/2013, dt.10.04.2013.

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**ORDER:**

It is proposed to hold an enquiry against Sri P. Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, East Godavari District and now working as I/c Chief Engineer, PR, MGNREGS, Hyderabad in accordance with the procedure laid down in Rule 20 of the A.P.Civil Services (Classification, Control and Appeal) Rules 1991.

2. The substance of the imputations of misconduct or mis-behaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-II & III).

3. Sri P. Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, East Godavari District and now working as I/c Chief Engineer, PR, MGNREGS, Hyderabad is directed to submit a written statement of his defence before the disciplinary authority within Ten (10) days of the receipt of this Order.

4. Sri P. Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, East Godavari District and now working as I/c Chief Engineer, PR, MGNREGS, Hyderabad is informed that an enquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P. Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, East Godavari District and now working as I/c Chief Engineer, PR, MGNREGS, Hyderabad is further informed that if he does not submit his written statement of defence on or before the time specified in para-3 above, further action will be processed based on the material available.

6. Attention of Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, East Godavari District and now working as I/c Chief Engineer, PR, MGNREGS, Hyderabad is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule. 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

- 1) Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, East Godavari District and now working as I/c Chief Engineer, PR, MGNREGS, Hyderabad through Engineer-in-Chief, Panchayat Raj, Hyderabad.(We)
- 2) The Engineer-in-Chief, Panchayat Raj, Hyderabad (with a request to serve and return the acknowledged copy and W.S.D).

Copy to:

- 3) The General Administration (V&E) Department (w.r. to VR. No. 107 (954/V&E/E2/2009-2, dated 17-12-2012)
- 4) The Secretary to Vigilance Commissioner, A.P. Vigilance Commission, Hyderabad.
- 5) SF/SC

// FORWARDED BY ORDER//

SECTION OFFICER

## **ANNEXURE - I**

**Statement showing the Article of Charges against Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, EG Dist and now working as Chief Engineer, PR, MGNREGS, Hyderabad**

### **CHARGE:**

That, Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada, EG Dist and now working as I/c Chief Engineer, PR, MGNREGS, Hyderabad has misused his official position for his personal gain and committed the following allegations of irregularities in the execution of the work "Providing road from Boduluru to Nukaletiwada via Checkawada & Potlawada under 12<sup>th</sup> Finance, RIAD" resulting loss to the Govt., in contravening the APCS (Conduct) Rules, 1964.

- i. Recommended for departmental execution and Failed to follow the procedure in execution of the work as instructed by the Govt.
- ii. Violated the financial powers limitations in invitation of quotations and finalised the quotations worth Rs. 1,42,15,248/- which is much more than the powers vested with him and no procedures were followed in invitation of quotations.
- iii. Work order was issued for finished items of works which is against the procedure of departmental execution.
- iv. Issued orders for making payments as per revised estimated rates instead of approved quotation rates there by causing excess payment of Rs.14,29,246/- and procedures were not followed in invitation of quotations.
- v. Contract agreement is not entered with the material supplier though the value of the work order is Rs.1,42,15,248/- at his whims and fancies and in collusion with the material supplier.

### **BASIS:**

The V&E has inspected the work "Providing road from Boduluru to Nukaletiwada via Checkawada & Potlawada under 12<sup>th</sup> finance, RIAD" and communicated Report No.107 (954/V&E/E2/09-2), dt:17-12-12 and observed the following:

The work "Providing road from Boduluru to Nukaletiwada via Checkawada & Potlawada under 12<sup>th</sup> finance, RIAD" was administratively sanctioned vide G.O.Rt.No.74, PR & RD (Progs.II) Dept., dt:13-03-2007 for Rs.220.00 Lakhs. The same was technically sanctioned vide TSR No.NIL/07-08, dt:30-04-07 for Rs.220.00 Lakhs by the Chief Engineer, PR, RIAD. The Govt., have permitted to execute the work as per Departmental norms vide Govt Memo No.14115/Prog.II(2)/2007-1, dt:04-07-2007.

### **The V&E has inspected the work and made the following findings:**

- The Superintending Engineer has placed work order worth Rs.1,42,15,248/- without following the stipulated procedure and norms of the Govt in the Departmental execution.

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- Without any formal work order for supply of material/ labour, the work was started.
- The first M.Book recording was done on or before 10-07-09 and 1<sup>st</sup> & Part bill was prepared on 24-10-2007 for Rs.20, 07,809/- but the SE, PR, Kakinada approved the quotation of material supplier on 02-02-08 which is highly irregular as per norms.
- Minimum requirements in selection of the material supplier/ labour were not followed, like eligibility of the Contractor in supply of material/labour, registration details and notification in the local papers for supply of material.
- Formal agreement was not concluded with the material supplier for such a huge magnitude of work and there is no mention about the EMD to be collected, execution period, defect liability period, statutory deductions to be made and other contractual obligations.
- The SE, PR, Kakinada has approved the quotation of Sri Y.T.V Chalapathi Rao, Material Supplier on 02-02-08 for finished items of Earth work excavation, Gravel Sub-base, supply of NP3 class RCC pipes, WBM Grade-II & III layers. The cost of work order is Rs. 1,42,15,248/- (Rupees one crore forty two lakhs fifteen thousand two hundred and forty eight only). There is no approved quotation for jungle clearance.
- Pass order for Rs. 20,07,809/- was made in the name of Assistant Engineer, PR, Rampachodavaram on 25-10-07 and later it was cancelled and prepared in the name of material supplier and it is concluded that the quotations were not called and the work has been executed by nomination. Further there is no evidence of receipt of sealed quotations.
- The then Executive Engineer, PR, Rajahmundry alerted the then SE, PR, Kakinada about the financial constraints in inviting quotations for the work costing Rs.220.00 lakhs, but the then SE, PR, Kakinada has ignored the Letter of the Executive Engineer and proceeded without following any of the departmental execution procedures which shows his malafide intentions.
- Based on the SE, PR, Kakinada orders, payments were made to the material supplier as per estimated rates from CC 6<sup>th</sup> & part bill to CC 8<sup>th</sup> part bill and the payments from CC 1<sup>st</sup> to 5<sup>th</sup> bills were regularized duly adopting the estimated rates which are higher than the approved quotation rates.
- The excess payments made by Sri K. Venugopal, the then Executive Engineer from CC 1<sup>st</sup> & part bill to CC 5<sup>th</sup> & part bill was Rs.6,58,072/- which includes payment of Rs. 2,77,522/- towards non supply of NP3 class RCC pipes.
- The excess payments made by Sri G.Sangameswar, the then Executive Engineer from CC 6<sup>th</sup> & Part bill to CC 8<sup>th</sup> part bill was Rs.10,48,695/- which includes revision of CC 1<sup>st</sup> to 5<sup>th</sup> bill as per revised estimate rates.
- The total value of work done is Rs.2,07,39,246/- ( up to CC 8<sup>th</sup> & Part bill ) and all the amounts were paid to the two individuals i.e Sri YTV Chalapathi Rao, Masupalli (V) being the material supplier and Sri YVB Swamynadhan, Madupalli (V) being the labour supplier which clearly establishes that the total work was executed by two individuals only and it cannot be treated as departmental execution of work.

- An amount of Rs.2,83,800/- is proposed as recovery towards deficiency in thickness of WBM Grade-III layer in KM.5, KM.7 & KM.9 and deficiency in GSB thickness in KM.5 & KM.7.
- Oversize of Grade-II & III metal is observed in KM.5 and an amount of Rs.7,208/- is proposed as recovery towards usage of oversize metal.
- BT extraction tests conducted on OGPC+SC samples in KM.7 & KM.9 revealed shortfall of BT content in KM.7 & KM.9 and an amount of Rs.1,27,917/- is proposed as recovery towards shortfall in BT content.

Thus, Sri P.Prabhakar Reddy, the then Superintending Engineer, PR, Kakinada has failed to discharge his legitimate duties properly and approved the quotations worth more than the powers vested with him and allowed excess payments which clearly shows his malafied intentions and collusion with the material supplier and all the acts of the Superintending Engineer are aimed at benefiting the material supplier and he is responsible for all the lapses and thus his action is in violation of APCS (Conduct) Rules 1964.

Hence, the Charge.

V. NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

## **ANNEXURE II**

### **List of documents for which the articles of charges are proposed to be sustained**

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Vig & Enforcement Note No.107 (954/V&E/E2/09-2), dt:17-12-2012.

V. NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

## **ANNEXURE III**

### **List of witnesses by whom the articles of charges are proposed to be sustained.**

NIL

V. NAGI REDDY  
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

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